

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: May 14, 2008]²

Bill No. and sponsor: H.R. 4671 (Mr. James R. Langevin of Rhode Island).

Proponent name,³ location: Clariant Corporation, Coventry, RI.

Other bills on product (110th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2011.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Phosphinic acid, diethyl-, aluminum salt (CAS No. 225789-38-8) with synergists and encapsulating agents (provided for in subheading 3824.90.92).

Check one: Same as that in bill as introduced.
 Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The subject product is a synthetic organic chemical that is used as a flame retardant. It is imported as a mixture with encapsulating agents and other chemicals that enhance its flame retardant properties. The proponent imports the product from Germany.

Estimated effect on customs revenue:

HTS subheading: <u>3824.90.92</u>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty					
Col. 1-General rate of duty	5.0%	5.0%	5.0%	5.0%	5.0%
Estimated value <i>dutiable</i> imports	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000
Customs revenue loss 1/	\$0	\$75,000	\$75,000	\$75,000	\$75,000

1/ There is an existing duty suspension under HTS heading 9902.22.43 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.

Source of estimated dutiable import data: U.S. industry estimates.

Contacts with domestic firms/organizations (including the proponent):

¹ Industry analyst preparing report: Philip Stone (202-205-3424); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Clariant Corporation (Proponent) Andrew Zamoyski, az@azamoyski.com	03/14/2008	No	No	No
Abbott Elaine Leavenworth, Fax: 202-783-6631	03/18/2008	No	No	No
American Chemistry Council Marty Durbin, Fax: 703-741-6097	03/18/2008	No	No	No
BASF Corporation Greg Thies, Fax: 703-255-7142	03/18/2008	No	No	No
Bayer Corporation Karen Niedermeyer, Fax: 412-777-4740 Julie Van Egmund, Fax: 202-737-8909	03/18/2008	No	No	No
Biddle Sawyer William Thonack, Fax: 212-239-1089	03/18/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8497 Lloyd Moon, Fax: 203-573-2686	03/18/2008	No	No	No
Ciba Specialty Chemicals Robert Hurley, Fax: 202-289-3588 Michelle Forte, Fax: 914-785-4831	03/18/2008	No	No	No
Dow Chemical Lisa Schroeter, Fax: 202-429-3467	03/18/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	03/18/2008	No	No	No
Eastman Chemical Company Gregg Riddle, Fax: 212-835-1621	03/18/2008	No	No	No
Elé and Pelron Corporations info@ele-pelron.com	03/17/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	03/18/2008	No	No	No
Honeywell International Art Simonetti, Fax: 202-662-2675	03/18/2008	No	No	No
Monsanto Corporation Grant Erdel, Fax: 202-789-1867	03/18/2008	No	No	No
Rhodia Dominick Cangiana, Fax: 609-860-2256	03/18/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
(Yes/No)				
Solutia Kassie D. Wooton, Fax: 314-674-1585	03/18/2008	No	No	No

Technical comments:⁴

None.

⁴ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

110TH CONGRESS
1ST SESSION

H. R. 4671

To extend the temporary suspension of duty on Phosphinic acid, diethyl-, aluminum salt with synergists and encapsulating agents.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. LANGEVIN introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To extend the temporary suspension of duty on Phosphinic acid, diethyl-, aluminum salt with synergists and encapsulating agents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PHOSPHINIC ACID, DIETHYL-, ALUMINUM SALT**
4 **WITH SYNERGISTS AND ENCAPSULATING**
5 **AGENTS.**

6 (a) IN GENERAL.—Heading 9902.22.43 of the Har-
7 monized Tariff Schedule of the United States (relating to
8 Phosphinic acid, diethyl-, aluminum salt with synergists
9 and encapsulating agents) is amended by striking “12/31/
10 2009” and inserting “12/31/2011”.

1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of the enactment of this Act.

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